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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/735,317

12/11/2003

Richard Kardeis

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KLARQUIST SPARKMAN, LLP  
121 SW SALMON STREET  
SUITE 1600  
PORTLAND, OR 97204

EXAMINER

HEWITT, JAMES M

ART UNIT

PAPER NUMBER

3679

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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2 MONTHS

02/09/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/735,317

Applicant(s)

KARDEIS ET AL.

Examiner

James M. Hewitt

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12/27/05, 4/17/06, 8/1/06.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3,6-19 and 32-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-3,6-19 and 32-51 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 April 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/27/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

The drawings were received on 4/17/06. These drawings overcome the objections noted in the 9/21/05 office action. However, note the following objection.

The drawings filed 4/17/06 are objected to because reference numeral '30' should not appear in FIG. 1. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

Claims 1-3, 6-19 and 32-51 objected to because of the following informalities:

The preamble of claim 1 recites "A plug connection *for* fast-fit coupling of two appliances forming part of a medical handpiece system", thus only functionally claiming the appliances. Yet in the body of the claim, the recitations "a first coupling fitting on one of said appliances" and "a second coupling fitting on the other of said appliances" positively claim the appliances, and thus make it unclear as to whether the appliances are being claimed as part of the invention.

For examination purposes, the appliances are considered to be part of the claimed invention.

In claim 1, line 10, ", respectively" should be inserted after "other".

In claim 6, line 5, "fitting" should be inserted after "coupling".

In claim 9, line 3, "in" should be inserted after "ring fitting".

In claim 11, line 2, "fitting" should be inserted after the first instance of "coupling".

In claims 12 and 13, the plurality of media transfer lines and electrical contacts should be related to the projecting element.

The preamble of claim 14 recites "A plug connection *for* fast-fit coupling of two appliances forming part of a medical handpiece system", thus only functionally claiming the appliances. Yet in the body of the claim, the recitations "a first coupling fitting on one of said appliances" and "a second coupling fitting on the other of said appliances" positively claim the appliances, and thus make it unclear as to whether the appliances are being claimed as part of the invention.

For examination purposes, the appliances are considered to be part of the claimed invention.

In claim 14, line 11, “unlock” should be “lock” and “lock” should be “unlock” in order to accurately describe the invention.

In claim 14, line 17, “unlock” should be “lock” in order to accurately describe the invention.

In claim 16, line 5, “fitting” should be inserted after “coupling”.

In claim 17, line 3, “ring member” should be “ring fitting”.

In claim 19, the plurality of media transfer lines and electrical contacts should be related to the projecting element.

The preamble of claim 35 recites “A plug connection *for* fast-fit coupling of two appliances forming part of a medical handpiece system”, thus only functionally claiming the appliances. Yet in the body of the claim, the recitations “a first coupling fitting on one of said appliances” and “a second coupling fitting on the other of said appliances” positively claim the appliances, and thus make it unclear as to whether the appliances are being claimed as part of the invention.

For examination purposes, the appliances are considered to be part of the claimed invention.

In claim 35, line 11, “, respectively” should be inserted after “other”.

In claim 42, line 5, “fitting” should be inserted after “coupling”.

In claim 43, lines 2-3 repeat limitations of claim 35.

In claim 46, line 2, “fitting” should be inserted after the first instance of “coupling”.

In claim 46, line 2, "of" should be "along".

In claims 47 and 48, the plurality of media transfer lines and electrical contacts should be related to the projecting element.

In claim 51, lines 2-3, it is unclear as to what the phrase "and a mating surface" modifies.

Appropriate correction is required.

#### ***Allowable Subject Matter***

Claims 1-3, 6-19 and 32-51 are objected to but would be allowable if rewritten to overcome the above-noted objections (see ***Claim Objections***).

#### ***Response to Arguments***

Applicant's arguments, filed 12/27/05, 4/17/06 and 8/1/06 with respect to the claims have been fully considered and are persuasive. The rejections of the claims have been withdrawn.

#### ***Conclusion***

This application is in condition for allowance except for the above formal matters.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.


A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M. Hewitt whose telephone number is 571-272-7084.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMH  
2/5/07

  
JAMES M. HEWITT  
PRIMARY EXAMINER